

The Court room and galleries were densely crowded by parties evidently not in sympathy with the prisoner, for there was a decided sensation produced when the verdict was pronounced, and partly suppressed expressions, apparently from the gallery, were heard, of "murder him," "murder him."

Here ends this remarkable trial, upon which it may not be amiss to add a few remarks:—

The charge of Judge WILKINS (the italics in it are his own—the *British Colonist*, from whence it is taken, alleges that it is printed as furnished by the Judge himself) was made the subject of severe criticism in the public newspapers. The *Morning Chronicle* speaking of it says:

"It is not so much what is *there*, as what is *not there*, in which it differs from the spoken charge. Among other things, we miss, at the commencement, an elaborate attack upon Mr. Young's position, that in criminal cases jurors are judges of *law and fact*. Towards the close, it is briefly referred to, and that is all. There is a good deal in the *manner* that cannot be put upon paper. There is the staid, grave expositor of law discharging his own duties, leaving others to discharge theirs,—assuming that jurymen, as well as others, are Christian men, understanding and appreciating the solemnity of an oath—that is *one thing*; and there is the impassioned action of the advocate, vehemence in expression, warming up, as he proceeds, invoking every sacred consideration calculated to stir the deepest feelings of the human heart, calling them all into active exercise adversely to a prisoner without any reference to the benefit of doubts, always accorded in such cases, and startling the audience with elaborately rounded periods, figures of speech, and climaxes—that is *quite another*.

"It is not a common thing in Nova Scotia to hear a Judge *cheered*; and we only leave our readers to imagine what kind of feelings a charge must have excited, when a somewhat repressed shout, at the close of this trial, was heard from men of *mercurial* temperament crying, 'Hurrah! for Judge Wilkins.'"

Referring to that portion of the charge where the Judge observes that "it were puerile to contend that a young and active man like that before you was in imminent danger from a threatened hand that grasped no weapon more dangerous than a stone"—he seems to forget or ignore the fact that this was not a hand to hand contest between two individuals, but a ferocious attack of excited, infuriated men, who had given abundant evidence of *their malicious intent*, and numbering at least ten to one, themselves the stronger party, all or mostly all armed with sticks or stones, all this is ignored, or at most slightly and dimly brought out,—whereupon the same paper remarks:

"That the assailants in this case were about ten to one, hardly admits of doubt. That they were armed with *sticks and stones*, is equally clear. Judge Wilkins seems to have thought *stones* to be most 'puerile' weapons, even in the hands of such men as Gilfoxy, Hurley, Kennedy, or Cain Mahaney.

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